

**IN THE SUPREME COURT OF THE STATE OF MONTANA****No. DA 23-633.**

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STATE OF MONTANA,

Plaintiff and Appellee,

v.

DAVID RAY SCHULTZ,

Defendant and Appellant.

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**MOTION TO WITHDRAW**

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Attorney Melinda A. Driscoll respectfully submits this Motion to Withdraw as counsel of record for Defendant/Appellant David Ray Schultz. The reason for this Motion is that Counsel is privately retained to represent Defendant/Appellant, and he lacks the financial means to maintain private representation on direct appeal. Mr. Schultz requests that the Appellate Defender Division be appointed to handle this matter going forward.

Respectfully submitted on this 26<sup>th</sup> day of October, 2023.

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By: /s/ Melinda A. Driscoll  
Melinda A. Driscoll  
*Attorney for David Schultz*

### **CERTIFICATE OF SERVICE**

I, Melinda A. Driscoll, hereby certify that on the 26th day of October, 2023, I served a true and accurate copy of the foregoing document via State of Montana e-Service on the following:

Austin Miles Knudsen (Govt Attorney)  
215 N. Sanders  
Helena MT 59620  
Representing: State of Montana  
Service Method: eService

Scott D. Twito (Govt Attorney)  
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Chad Wright  
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Clerk of District Court  
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By: /s/ Melinda A. Driscoll  
Melinda A. Driscoll  
*Attorney for David Schultz*

## CERTIFICATE OF SERVICE

I, Melinda Ann Driscoll, hereby certify that I have served true and accurate copies of the foregoing Motion - Withdrawal of Counsel to the following on 10-26-2023:

Chad M. Wright (Attorney)  
P.O. Box 200147  
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Electronically Signed By: Melinda Ann Driscoll  
Dated: 10-26-2023